

JUDGE COTE

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

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UNITED STATES OF AMERICA

:

SEALED

INDICTMENT

--v.--

:

S2 08 Cr.

**429**

CARLOS PICHARDO,  
a/k/a "Calcayo,"

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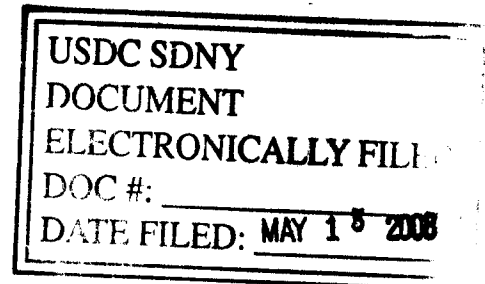
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Defendant.

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COUNT ONE



The Grand Jury charges:

1. From at least in or about 2001 up to and including in or about August 15, 2005, in the Southern District of New York and elsewhere, CARLOS PICHARDO, a/k/a "Calcayo," the defendant, and others known and unknown, unlawfully, intentionally, and knowingly did combine, conspire, confederate, and agree together and with each other to violate the narcotics laws of the United States.

2. It was a part and an object of this conspiracy that CARLOS PICHARDO, a/k/a "Calcayo," the defendant, and others known and unknown, would and did distribute and possess with the intent to distribute a controlled substance, to wit, one kilogram and more of mixtures and substances containing a detectable amount of heroin, in violation of Sections 812, 841(a)(1), and 841(b)(1)(A) of Title 21 of the United States Code.

Overt Acts

3. In furtherance of the conspiracy and to effect the

illegal object thereof, the following overt acts, among others, were committed in the Southern District of New York:

a. From in or about 2002 up to and including in or about 2004, CARLOS PICHARDO, a/k/a "Calcayo," the defendant, delivered kilogram quantities of heroin to the vicinity of East 223rd Street and Paulding Avenue, Bronx, New York.

b. In or about late 2003 or early 2004, CARLOS PICHARDO, a/k/a "Calcayo," the defendant, traveled to the vicinity of Bay Plaza Shopping Center, in the Bronx, New York, to collect approximately \$60,000 in narcotics proceeds that were owed to him.

c. In or about 2005, CARLOS PICHARDO, a/k/a "Calcayo," the defendant, delivered kilogram quantities of heroin to the vicinity of Gun Hill Road, Bronx, New York, and collected narcotics proceeds there as well.

(Title 21, United States Code, Section 846.)

FORFEITURE ALLEGATION

4. As a result of committing the controlled substance offense alleged in Count One of this Indictment, CARLOS PICHARDO, a/k/a "Calcayo," the defendant, shall forfeit to the United States, pursuant to 21 U.S.C. § 853, any and all property constituting or derived from any proceeds this defendant obtained directly or indirectly as a result of the narcotics violations and any and all property used or intended to be used in any

manner or part to commit and to facilitate the commission of the narcotics violations alleged in Count One of the Indictment, including but not limited to the following:

a. Money Judgment

A sum of money equal to approximately \$322,610 in United States currency, representing a part of the proceeds obtained as a result of the offenses, distribution of controlled substances, and the conspiracy to distribute controlled substances.

b. Conveyance

One 1997 Range Roger, New Jersey License Plate Number RFX82U, and Vehicle Identification Number SALPV1448VA372392, which was seized at 3166 Fenton Avenue, Bronx, New York.

Substitute Asset Provision

5. If any of the property described above as being subject to forfeiture, as a result of any act or omission of the defendant:

- a. cannot be located upon the exercise of due diligence;
- b. has been transferred or sold to, or deposited with, a third person;
- c. has been placed beyond the jurisdiction of

the Court;

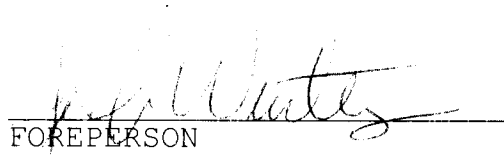
d. has been substantially diminished in value;


or

e. has been commingled with other property which  
cannot be subdivided without difficulty;

it is the intention of the United States, pursuant to 21 U.S.C.  
§ 853(p), to seek forfeiture of any other property of the  
defendant up to the value of the above forfeitable property.

(Title 21, United States Code,  
Sections 841(a)(1), 846, and 853.)

  
FOREPERSON

  
MICHAEL J. GARCIA  
United States Attorney

Form No. USA-33s-274 (Ed. 9-25-58)

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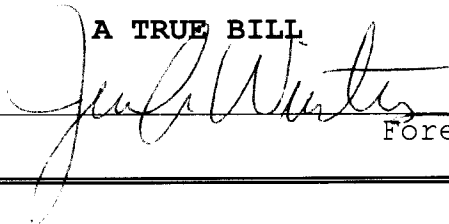
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(Title 21, United States Code,  
Section 846.)

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MICHAEL J. GARCIA  
United States Attorney.

A TRUE BILL



Foreperson.

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